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Reporting Category

Category	Subcategory	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
05B EXCESSIVE FORCE / ON DUTY - NO INJURY -	-	-	-	-	-	-	-

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Log No: 1080128 Type:CR

Accused Members

Review Name	Status	Accused Overall Finding	Recommended Penalty	No. of Days	Date/Time Served	Created Date	Complimentary History
View DE LA HUERTA, URIEL	PENDING ACCUSED APPEAL	SUSTAINED	SUSPENSION	3	-	15-APR-2016	View

row(s) 1 - 1 of 1

Attachments

No. Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
View 1 FACE SHEET	N/A	-	-	-	MACK, GINA	APR-15-2016 10:14	-	-	-
View 2 CONFLICT CERTIFICATION	N/A	-	-	-	QUERFURTH, PATRICK	MAY-18-2016 08:49	-	-	-
View 3 CONFLICT CERTIFICATION	N/A	-	-	-	MACK, GINA	MAY-25-2016 16:27	-	-	-
View 4 INITIATION REPORT	N/A	1	-	YES	MACK, GINA	NOV-15-2016 10:52	APPROVED	-	YES
View 5 LETTER TO COMPLAINANT	N/A	1	-	YES	MACK, GINA	NOV-15-2016 10:53	APPROVED	-	YES
View 6 REPORT (OTHER)	N/A	6	EMAILS RE: VIDEO NEEDED - HARLAN H.S. APRIL 12, 2016	-	HOWARD, MIA	JAN-04-2017 14:23	APPROVED	-	YES
View 7 CHICAGO PUBLIC SCHOOLS (CPS) NOTICE OF INCIDENT	N/A	1	-	YES	MACK, GINA	NOV-15-2016 10:57	APPROVED	-	YES
View 8 REPORT (OTHER)	N/A	39	Investigative Report from Chicago Public School, Law Department	YES	MACK, GINA	NOV-15-2016 10:59	APPROVED	-	YES
View 9 REPORT (OTHER)	N/A	1	Copy of Disk from Chicago Public School, Law Department - THE DISK WILL NOT UPLOAD BUT THE ORIGINAL HAS BEEN PLACED INSIDE OF THE FILE.	YES	MACK, GINA	NOV-15-2016 11:10	APPROVED	-	YES
View 10 TO/FROM REPORT	N/A	2	JOHN MARSHALL HARLAN COMMUNITY ACADEMY HIGH SCHOOL VIDEO RETRIEVAL	-	HOWARD, MIA	JAN-04-2017 14:24	APPROVED	-	YES
View 11 CONFLICT CERTIFICATION	N/A	-	-	-	DAUN, SHERRY	NOV-18-2016 14:18	-	-	-
View 12 CONFLICT CERTIFICATION	N/A	-	-	-	THOMAS, ARTRA	NOV-18-2016 16:00	-	-	-
View 13 REPORT (OTHER)	N/A	1	REPORTING PARTY INFORMATION	-	HOWARD, MIA	JAN-05-2017 10:19	APPROVED	-	YES
View 14 REPORT (OTHER)	N/A	1	REPORTING PARTY INFORMATION	-	HOWARD, MIA	JAN-05-2017 10:21	APPROVED	-	YES
View 15 ATTENDANCE AND ASSIGNMENT RECORD	N/A	1	UNIT 005, 2ND WATCH - OFFICER DE LA HUERTA #18830	-	HOWARD, MIA	JAN-05-2017 10:22	APPROVED	-	YES

View	16	REPORT (OTHER)	N/A	2	WATCH INFORMATION, OFFICER DE LA HUERTA - #18830	HOWARD, MIA	JAN-05-2017 10:24	APPROVED -	YES
View	17	ALPHA/STAR QUERY SEARCH	N/A	1	OFFICER DE LA HUERTA - #18830	HOWARD, MIA	JAN-05-2017 10:25	APPROVED -	YES
View	18	TACTICAL RESPONSE REPORT (TRR)	N/A	1	OFFICER DE LA HUERTA - #18830	HOWARD, MIA	JAN-05-2017 10:26	APPROVED -	YES
View	19	REPORT (OTHER)	N/A	1	OPS WORK QUEUE - [REDACTED] (NO RECORDS FOUND)	HOWARD, MIA	JAN-05-2017 10:28	APPROVED -	YES
View	20	REPORT (OTHER)	N/A	3	FACE SHEET, REPORTING PARTY VICTIM - [REDACTED]	HOWARD, MIA	JAN-05-2017 10:29	APPROVED -	YES
View	21	TO/FROM REPORT	N/A	2	AFFIDAVIT OVERRIDE, ACCUSED OFFICER URIEL DE LA HUERTA, #18830	HOWARD, MIA	FEB-28-2017 12:10	APPROVED -	YES
View	22	REPORT (OTHER)	N/A	1	AUTHORIZATION TO CONTINUE INVESTIGATION WITHOUT AN AFFIDAVIT	HOWARD, MIA	FEB-28-2017 12:11	APPROVED -	YES
View	23	REPORT (OTHER)	N/A	1	OVERRIDE AFFIDAVIT, PO URIEL DE LA HUERTA #18830	HOWARD, MIA	FEB-28-2017 12:13	APPROVED -	YES
View	24	LETTER TO COMPLAINANT	N/A	2	Letter Requesting Interview with [REDACTED] - USPS	SCHAAF, GARRETT	NOV-24-2017 09:05	APPROVED -	YES
View	25	REPORT (OTHER)	N/A	1	COPA Notice - [REDACTED]	SCHAAF, GARRETT	DEC-07-2017 13:05	APPROVED -	YES
View	26	SWORN AFFIDAVIT - NOT REQUIRED	N/A	1	Affidavit / Statement - [REDACTED] Clark	SCHAAF, GARRETT	DEC-07-2017 13:05	APPROVED -	YES
View	27	PHOTOGRAPH	N/A	1	Screen Capture from CPS footage - [REDACTED]	SCHAAF, GARRETT	DEC-07-2017 13:06	APPROVED -	YES
View	28	TO/FROM REPORT	N/A	2	Summary of Surveillance Footage	SCHAAF, GARRETT	DEC-28-2017 11:57	APPROVED -	YES
View	29	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	1	Accused Officer De La Huerta, Uriel	SCHAAF, GARRETT	JAN-03-2018 15:07	APPROVED -	YES
View	30	LETTER TO COMPLAINANT	N/A	1	Returned Unopened Letter to [REDACTED]	SCHAAF, GARRETT	JAN-08-2018 09:17	APPROVED -	YES
View	31	NOTIFICATION OF CHARGES/ALLEGATIONS	N/A	1	De La Huerta, Uriel served January 19, 2018	SCHAAF, GARRETT	JAN-19-2018 13:20	APPROVED -	YES
View	32	ADMINISTRATIVE PROCEEDINGS RIGHTS	N/A	1	De La Huerta, Uriel served January 19, 2018	SCHAAF, GARRETT	JAN-19-2018 13:21	APPROVED -	YES
View	33	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	De La Huerta, Uriel request made January 19, 2018	SCHAAF, GARRETT	JAN-19-2018 13:22	APPROVED -	YES
View	34	INTERVIEW - ACCUSED	N/A	1	Original on disc in file. PART 1 - De La Huerta, Uriel occurred January 19, 2018	SCHAAF, GARRETT	JAN-19-2018 13:23	APPROVED -	YES
View	35	INTERVIEW - ACCUSED	N/A	1	Original on disc in file. PART 2 - De La Huerta, Uriel occurred January 19, 2018	SCHAAF, GARRETT	JAN-19-2018 13:24	APPROVED -	YES
View	36	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	1	Witness - [REDACTED]	SCHAAF, GARRETT	JAN-22-2018 11:47	APPROVED -	YES
View	37	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	1	Served Witness Officer Statement - [REDACTED]	SCHAAF, GARRETT	JAN-29-2018 11:46	APPROVED -	YES
View	38	STATEMENT OF POLICE OFFICER	N/A	1	Original in file. Witness - [REDACTED]	SCHAAF, GARRETT	FEB-05-2018 11:20	APPROVED -	YES
View	39	CONFLICT CERTIFICATION	N/A	-	-	SCHAAF, GARRETT	NOV-22-2017 09:18	-	-
View	40	CONFLICT CERTIFICATION	N/A	-	-	DOLLAR, BRIAN	NOV-21-2017 10:22	-	-
View	41	LETTER TO COMPLAINANT	N/A	1	[REDACTED] - Pittsburgh CA	SCHAAF, GARRETT	FEB-26-2018 10:40	APPROVED -	YES

View	42	LETTER TO WITNESS	N/A	1	Returned unopened letter - YES [REDACTED]	SCHAAF, GARRETT	MAR-22- 2018 16:05	APPROVED -	YES
View	43	SWORN AFFIDAVIT - NOT REQUIRED	N/A	1	[REDACTED] YES	SCHAAF, GARRETT	APR-11- 2018 15:28	APPROVED -	YES
View	44	WITNESS REPORT	N/A	1	Summary of verbal statement - [REDACTED] YES	SCHAAF, GARRETT	APR-11- 2018 15:28	APPROVED -	YES
View	45	ATTENDANCE AND ASSIGNMENT RECORD	N/A	5	April 2016 for [REDACTED] YES	SCHAAF, GARRETT	APR-23- 2018 10:43	APPROVED -	YES
View	46	DEPARTMENT DIRECTIVE OR GENERAL ORDER	N/A	7	G03-02-02- Force Options - effective January 1, 2016. YES	SCHAAF, GARRETT	APR-23- 2018 10:58	APPROVED -	YES
View	-	REPORT (OTHER)	ACCUSED - DE LA HUERTA, URIEL	2	Disciplinary Memo	HAYES, SHANNON	JUN-12- 2018 15:19	APPROVED -	YES
View	-	SUMMARY REPORT	N/A	8	-	HAYES, SHANNON	JUN-12- 2018 15:20	APPROVED -	YES
View	-	DISCIPLINARY HISTORY	ACCUSED - DE LA HUERTA, URIEL	2	-	HAYES, SHANNON	JUN-12- 2018 15:19	APPROVED -	YES
View	-	REPORT (OTHER)	N/A	2	Request for review of discipline 3 day suspension grievance filed	CLOYD, WENDY	FEB-01- 2019 09:56	APPROVED -	YES
View	-	REPORT (OTHER)	N/A	1	Review of discipline Parks	CLOYD, WENDY	JAN-30- 2019 10:12	APPROVED -	YES
View	-	REPORT (OTHER)	N/A	2	A&R sent 1/22/19	DOMAIN, ALEXANDRA	JAN-22- 2019 09:08	APPROVED -	YES

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Internal Use Only

No Internal Use Only attachments available.

Print Accused Appeal Forms

No Accused Appeal forms available for this Log No.

Related Incidents☒ **TIP** Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

No Related Incidents associated with this Log No.

Status History☒ **TIP** Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/ Detailed Unit	Comments
PENDING ACCUSED APPEAL	18-JAN-2019 11:47	DOMAIN, ALEXANDRA	SUPERVISOR PARALEGAL	[REDACTED]	113 / -	-
PENDING REVIEW AFTER SUPERINTENDENT DECISION	23-OCT-2018 16:35	BOIK, ROBERT	SUPT'S CHIEF OF STAFF	[REDACTED]	111 / -	-
PENDING SUPERINTENDENT DECISION	26-SEP-2018 16:17	COSTELLO, ROBERT	SERGEANT OF POLICE	[REDACTED]	121 / -	-
PENDING ACCUSED APPEAL	26-SEP-2018 16:17	COSTELLO, ROBERT	SERGEANT OF POLICE	[REDACTED]	121 / -	-
PENDING ADVOCATE REVIEW	26-SEP-2018 16:17	COSTELLO, ROBERT	SERGEANT OF POLICE	[REDACTED]	121 / -	-
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	26-SEP-2018 16:16	COSTELLO, ROBERT	SERGEANT OF POLICE	[REDACTED]	121 / -	-
PENDING SUPERINTENDENT DECISION	26-SEP-2018 16:15	COSTELLO, ROBERT	SERGEANT OF POLICE	[REDACTED]	121 / -	-
PENDING ADVOCATE REVIEW	26-SEP-2018 16:15	COSTELLO, ROBERT	SERGEANT OF POLICE	[REDACTED]	121 / -	-
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	26-SEP-2018 16:13	COSTELLO, ROBERT	SERGEANT OF POLICE	[REDACTED]	121 / -	-
PENDING SUPERINTENDENT DECISION	26-SEP-2018 16:12	COSTELLO, ROBERT	SERGEANT OF POLICE	[REDACTED]	121 / -	-
PENDING COMMAND CHANNEL REVIEW	26-SEP-2018 16:12	COSTELLO, ROBERT	SERGEANT OF POLICE	[REDACTED]	121 / -	-
PENDING ADVOCATE REVIEW	26-SEP-2018 16:11	COSTELLO, ROBERT	SERGEANT OF POLICE	[REDACTED]	121 / -	-
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	26-SEP-2018 16:10	COSTELLO, ROBERT	SERGEANT OF POLICE	[REDACTED]	121 / -	-
PENDING SUPERINTENDENT DECISION	13-AUG-2018 08:42	COSTELLO, ROBERT	SERGEANT OF POLICE	[REDACTED]	121 / -	-
PENDING COMMAND CHANNEL REVIEW	26-JUN-2018 14:01	DOUGLAS SR, VARRICK	COMMANDER	[REDACTED]	005 / -	-

PENDING COMMAND CHANNEL REVIEW	20-JUN-2018 12:57	COSTELLO, ROBERT	SERGEANT OF POLICE		121 / -	-
PENDING ADVOCATE REVIEW	20-JUN-2018 10:52	OLIVER, MELVIN	POLICE OFFICER		007 / 121	-
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	18-JUN-2018 11:04	DOMAIN, ALEXANDRA	SUPERVISOR PARALEGAL		113 / -	-
CLOSED AT C.O.P.A.	18-JUN-2018 10:22	DOMAIN, ALEXANDRA	SUPERVISOR PARALEGAL		113 / -	-
PENDING REVIEW INCIDENT (C.O.P.A. USE ONLY)	12-JUN-2018 16:29	HUNT, JOSHUA	DEPUTY CHIEF ADMINISTRATOR		113 / -	-
PENDING CHIEF ADMINISTRATOR REVIEW	12-JUN-2018 16:29	HUNT, JOSHUA	DEPUTY CHIEF ADMINISTRATOR		113 / -	-
PENDING C.O.P.A. COORDINATOR REVIEW	12-JUN-2018 15:24	HAYES, SHANNON	SUPERVISING INV COP		113 / -	-
PENDING INVESTIGATIVE REVIEW	24-APR-2018 10:20	SCHAAF, GARRETT	INVESTIGATOR 3 COPA		113 / -	-
PENDING INVESTIGATION	23-FEB-2018 13:19	HAYES, SHANNON	SUPERVISING INV COP		113 / -	-
PENDING INVESTIGATIVE REVIEW	13-FEB-2018 12:58	SCHAAF, GARRETT	INVESTIGATOR 3 COPA		113 / -	-
PENDING INVESTIGATION	07-FEB-2018 16:47	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR		113 / -	-
PENDING ASSIGN INVESTIGATOR	07-FEB-2018 16:47	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR		113 / -	-
PENDING INVESTIGATION	21-NOV-2017 10:22	DOLLAR, BRIAN	SUPV INVEN CONT 1		113 / -	-
PENDING ASSIGN INVESTIGATOR	06-NOV-2017 22:04	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR		113 / -	-
PENDING INVESTIGATION	18-NOV-2016 14:18	DAUN, SHERRY	SUPERVISING INV COP		113 / -	-
PENDING ASSIGN INVESTIGATOR	17-NOV-2016 16:07	OLVERA, MARIA	SUPERVISING INV COP		113 / -	-
PENDING ASSIGN TEAM	17-NOV-2016 16:02	OLVERA, MARIA	SUPERVISING INV COP		113 / -	-
PENDING INVESTIGATION	18-MAY-2016 08:49	QUERFURTH, PATRICK	SUPERVISING INV COP		113 / -	-
PENDING ASSIGN INVESTIGATOR	18-APR-2016 13:16	STOUTENBOROUGH, ANDREA	SUPERVISING INV COP		113 / -	-
PENDING ASSIGN TEAM	15-APR-2016 17:21	DEAN, BRUCE	SUPERVISING INV COP		113 / -	-
PENDING SUPERVISOR REVIEW	15-APR-2016 17:19	DEAN, BRUCE	SUPERVISING INV COP		113 / -	-
PRELIMINARY	15-APR-2016 17:18	DEAN, BRUCE	SUPERVISING INV COP		113 / -	-
PRELIMINARY	15-APR-2016 17:01	DEAN, BRUCE	SUPERVISING INV COP		113 / -	edit
PENDING SUPERVISOR REVIEW	15-APR-2016 16:47	MACK, GINA	INVESTIGATOR I COPA		113 / -	-
PRELIMINARY	15-APR-2016 16:37	DEAN, BRUCE	SUPERVISING INV COP		113 / -	-
PENDING SUPERVISOR REVIEW	15-APR-2016 16:01	MACK, GINA	INVESTIGATOR I COPA		113 / -	Reported by Sergeant Larry Thomas #1846/005
PRELIMINARY	15-APR-2016 10:14	MACK, GINA	INVESTIGATOR I COPA		113 / -	-

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Command Channel Reviewers

No Command Channel Reviewers have been assigned.




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Log No: 1080128 Type:CR

Reporting Party Information

Role	Name	Star No.	Emp No.	Unit No.	Position	Sex	Race	Address	Phone
NON-CPD Reporting Party Victim	[REDACTED]	-	-	-	-	MALE	BLACK	RESIDENCE: [REDACTED], CHICAGO, IL 60628 Beat 522 US	OTHER: ([REDACTED]) [REDACTED]

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Incident Address

Incident From Date/Time	Address Of Incident	Beat	District Of Occurrence	Location Code	Location Description
12-APR-2016 12:00 - 12-APR-2016 12:00	[REDACTED] CHICAGO, IL 60628	511	005	[REDACTED]-SCHOOL, PUBLIC, BUILDING	[REDACTED]

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Accused Members

Role	Name	Star No.	Emp No.	Unit No.	Position	Status	Allegations
CPD Employee Accused	[REDACTED]	18830	[REDACTED]	005 / -	POLICE OFFICER	ON Duty	The Reporting Party alleges the accused officer grabbed his shirt, pushed him onto lockers, and spat on his face. The Reporting Party also alleges the accused pointed his Taser at him and stated, "I'm sick of you."

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Other Involved Parties

There are no Other Involved Parties for this Log No.

Initial Incident Category List

Initial Incident Category Primary? ▼

S042 - MISCELLANEOUS Yes

Assignment History

Assigned To	Assigned Team	Investigator	Assignment Date/Time	Assigned By	Reason
COPA	COPA SQUAD 9	HAYES, SHANNON (SUPERVISOR) SCHAFF,	23-FEB-2018 13:19	HAYES, SHANNON	-

COPA	COPA SQUAD 9	GARRETT (PRIMARY INV)	23-FEB-2018 13:19	HAYES, SHANNON	-	
COPA	COPA SQUAD 9	SCHAAF, GARRETT (PRIMARY INV)	07-FEB-2018 16:47	WESTENSEE, JAY	-	
COPA	COPA SQUAD 9	HAYES, SHANNON (SUPERVISOR)	07-FEB-2018 16:47	WESTENSEE, JAY	-	
COPA	COPA SQUAD 9	-	07-FEB-2018 16:47	WESTENSEE, JAY	-	
COPA	COPA SQUAD 11	SCHAAF, GARRETT (PRIMARY INV)	21-NOV-2017 10:22	DOLLAR, BRIAN	-	
COPA	COPA SQUAD 11	DOLLAR, BRIAN (SUPERVISOR)	06-NOV-2017 22:04	WESTENSEE, JAY	-	
COPA	COPA SQUAD 11	-	06-NOV-2017 22:04	WESTENSEE, JAY	-	
COPA	COPA SQUAD 12	PFEIFER, ADAM (PRIMARY INV)	08-SEP-2017 15:23	GRBA, MARK		UPDATED USING REASSIGN ALL
COPA	COPA SQUAD 12	-	08-SEP-2017 15:23	GRBA, MARK		UPDATED USING REASSIGN ALL
COPA	COPA SQUAD 12	WESTENSEE, JAY (SUPERVISOR)	08-SEP-2017 15:22	GRBA, MARK		UPDATED USING REASSIGN ALL
COPA	COPA SQUAD 12	-	08-SEP-2017 15:22	GRBA, MARK		UPDATED USING REASSIGN ALL
COPA	DOMESTIC VIOLENCE	THOMAS, ARTRA (PRIMARY INV)	18-NOV-2016 14:18	DAUN, SHERRY	-	
COPA	DOMESTIC VIOLENCE	DAUN, SHERRY (SUPERVISOR)	17-NOV-2016 16:07	OLVERA, MARIA	-	
COPA	DOMESTIC VIOLENCE	-	17-NOV-2016 16:07	OLVERA, MARIA	-	
COPA	RAPID RESPONSE	MACK, GINA (PRIMARY INV)	18-MAY-2016 08:49	QUERFURTH, PATRICK	-	
COPA	RAPID RESPONSE	QUERFURTH, PATRICK (SUPERVISOR)	18-APR-2016 13:16	STOUTENBOROUGH, ANDREA	-	
COPA	RAPID RESPONSE	-	18-APR-2016 13:16	STOUTENBOROUGH, ANDREA	-	
COPA	CIVILIAN OFFICE OF POLICE ACCOUNTABILITY	-	15-APR-2016 10:14	MACK, GINA	-	

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Status History

 **TIP** Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Assigned/ Detailed Unit	Comments
CLOSED AT C.O.P.A.	18-JUN-2018 10:22	DOMAIN, ALEXANDRA	SUPERVISOR PARALEGAL	113 / -	-

PENDING ASSIGN INVESTIGATOR	07-FEB-2018 16:47	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR	113 / -	-
PENDING ASSIGN INVESTIGATOR	06-NOV-2017 22:04	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR	113 / -	-
DELETED	03-JAN-2017 13:14	DAUN, SHERRY	SUPERVISING INV COPA	113 / -	
DELETED	03-JAN-2017 13:13	DAUN, SHERRY	SUPERVISING INV COPA	113 / -	
PENDING ASSIGN INVESTIGATOR	17-NOV-2016 16:07	OLVERA, MARIA	SUPERVISING INV COPA	113 / -	-
PENDING ASSIGN TEAM	17-NOV-2016 16:02	OLVERA, MARIA	SUPERVISING INV COPA	113 / -	-
PENDING ASSIGN INVESTIGATOR	18-APR-2016 13:16	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA	113 / -	-
DELETED	15-APR-2016 17:38	MACK, GINA	INVESTIGATOR I COPA	113 / -	1080128
PENDING ASSIGN TEAM	15-APR-2016 17:21	DEAN, BRUCE	SUPERVISING INV COPA	113 / -	-
PENDING SUPERVISOR REVIEW	15-APR-2016 17:19	DEAN, BRUCE	SUPERVISING INV COPA	113 / -	-
PRELIMINARY	15-APR-2016 17:18	DEAN, BRUCE	SUPERVISING INV COPA	113 / -	-
PRELIMINARY	15-APR-2016 17:01	DEAN, BRUCE	SUPERVISING INV COPA	113 / -	edit
PENDING SUPERVISOR REVIEW	15-APR-2016 16:47	MACK, GINA	INVESTIGATOR I COPA	113 / -	-
PRELIMINARY	15-APR-2016 16:37	DEAN, BRUCE	SUPERVISING INV COPA	113 / -	-
PENDING SUPERVISOR REVIEW	15-APR-2016 16:01	MACK, GINA	INVESTIGATOR I COPA	113 / -	Reported by Sergeant Larry Thomas #1846/005
PRELIMINARY	15-APR-2016 10:14	MACK, GINA	INVESTIGATOR I COPA	113 / -	-

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SUMMARY REPORT OF INVESTIGATION¹**I. EXECUTIVE SUMMARY**

Date of Incident:	April 12, 2016
Time of Incident:	10:50 am
Location of Incident:	[REDACTED], IL 60628 (Harlan Community Academy)
Date of COPA Notification:	April 15, 2016
Time of COPA Notification:	9:00 am

The complainant, Mr. [REDACTED] alleged that on April 12, 2016, Officer Uriel De La Huerta pushed him into lockers, spat on him, and pointed a taser in his face. On April 13, 2016, [REDACTED] notified Ms. [REDACTED], the Principal of Harlan Community Academy (Harlan), of the encounter with Officer De La Huerta. Additionally, [REDACTED] reported the incident to CPD Sergeant Larry Thomas. Sgt. Thomas completed an Initiation Report and notified IPRA.

During this investigation, Chicago Public Schools (CPS) provided a copy of their Investigative Report. Because [REDACTED] never responded to requests to provide a statement, IPRA sought and obtained an Affidavit Override from the Chicago Police Department.

II. INVOLVED PARTIES

Involved Officer #1:	Police Officer Uriel De La Huerta Star #18830 / Employee ID# [REDACTED] Appointed January 26, 2004 Unit 005 Born [REDACTED] Male / Hispanic
Subject #1:	[REDACTED] Born [REDACTED] Male / Black

III. ALLEGATIONS

Officer	Allegation	Finding
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¹ On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

Officer Uriel De La Huerta	1. It is alleged that Officer De La Huerta used a Control Tactic on [REDACTED] without justification, in violation of Rules 6 and 9.	Sustained.
	2. It is alleged that Officer De La Huerta pushed [REDACTED] into the lockers without justification, in violation of Rules 6 and 9.	Unfounded.
	3. It is alleged that Officer De La Huerta spat in [REDACTED]'s face, in violation of Rule 9.	Not Sustained.
	4. It is alleged that Officer De La Huerta pointed a Taser at [REDACTED]'s face/neck while stating, "Resist so I can use this. Hit me, go ahead and hit me," in violation of Rules 6, 9.	Not Sustained.

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 6: Prohibits disobedience of an order or directive, whether written or oral.
2. Rule 9: Prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

General Orders

1. General Order: G03-02-02 – Force Options – effective January 1, 2016 through October 15, 2017

V. INVESTIGATION²

a. Interviews³

In an interview with a CPS investigator,⁴ on April 29, 2016, Mr. [REDACTED],⁵ stated that on April 12, 2016, he was at Harlan when the fire alarm activated, and he attempted to exit via the southeast door to exit the building.⁶ As [REDACTED] walked towards the exit, Officer Uriel De La Huerta stopped him. Officer De La Huerta instructed [REDACTED] to turn around and exit the building using the southwest doors. [REDACTED] turned around and began walking towards the exit doors.

² COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

³ COPA obtained a statement from Officer Kathrine Moses-Hughes; however, she was not able to recall any of the interaction between [REDACTED] and Officer De La Huerta.

⁴ Att. 8. (It is unknown if this statement was recorded or provided under oath or affirmation.)

⁵ [REDACTED] never responded to COPA's numerous requests to provide a statement.

⁶ The classroom [REDACTED] exited was only 10 feet away from the southwest doors.

As [REDACTED] walked toward the exit doors, Officer De La Huerta grabbed him by his shirt and slammed him into lockers. Officer De La Huerta ordered [REDACTED] to turn around and place his hands behind his back. [REDACTED] did not comply. Officer De La Huerta escorted [REDACTED] towards the bathroom. [REDACTED] resisted and pushed back against Officer De La Huerta. Officer De La Huerta drew his taser, placed it on [REDACTED]'s neck/face and stated, "resist so I can use this. Hit me, go ahead and hit me." As [REDACTED] continued to resist,⁷ he was escorted to the "police room."⁸ Once at the police room, Officer De La Huerta slammed [REDACTED] into the door and pinned him against the wall. After several minutes, [REDACTED] was released without further incident.

In a **statement to COPA**⁹ on April 4, 2018, Ms. [REDACTED] stated that on April 13, 2016, [REDACTED] informed her of an encounter he had with Officer De La Huerta that placed him in fear for his safety. After speaking to [REDACTED], Fannings-Outlaw reviewed Harlan surveillance footage, completed a Verify.Net report,¹⁰ and reported the incident to CPS Safety and Security Personnel, Mr. [REDACTED] and Ms. [REDACTED]. [REDACTED] and [REDACTED] informed [REDACTED] they would investigate the incident and notify CPD, and suggested that she contact the CPD School Sergeant. On April 13, 2016, [REDACTED] contacted a CPD Sergeant¹¹ and relayed [REDACTED]'s concerns. On April 14th or 15th, a white male CPD officer wearing a white shirt¹² arrived at Harlan and interviewed [REDACTED]. [REDACTED] was clear that, while she reviewed the surveillance footage, she did not witness the interaction between [REDACTED] and Officer De La Huerta.

In an **interview with COPA**¹³ on January 19, 2017, **Officer De La Huerta** advised that on April 12, 2016, he was in uniform and assigned to Harlan when the fire alarm was activated. He was ushering students to the nearest exits when he observed [REDACTED] walking away from the nearest exit. Officer De La Huerta approached [REDACTED], blocked his path, and verbally directed him to exit a different door. [REDACTED] complied and walked towards the exit. As [REDACTED] walked away, he stated something to the effect of: "quit being a fucking bitch." Feeling disrespected and upset, Officer De La Huerta approached [REDACTED] and stated, "you are not going to talk to me like that" while placing his hand on [REDACTED]'s mid/lower back to shepherd him from the building. [REDACTED] responded by clenching his fists, pulling away, and stating, "get the fuck away from me." Concerned that [REDACTED] was going to strike him, Officer De La Huerta grabbed [REDACTED] and escorted him towards the police room, all the while [REDACTED] attempted to pull away.

Once at the police room [REDACTED] pushed off the wall and again attempted to pull away. Officer De La Huerta directed [REDACTED] towards a set of lockers and pinned him against them. Simultaneously, Officer De La Huerta drew his Taser and informed [REDACTED] that if he continued to resist, Officer De La Huerta would deploy his Taser. Officer De La Huerta admitted that he did raise the Taser towards [REDACTED]'s head but insisted that he never pointed the Taser at [REDACTED]. Once [REDACTED] stopped resisting, Officer De La Huerta holstered his Taser. Officer De La Huerta advised [REDACTED] that his behavior was improper and that upon graduation from school it will be

⁷ The report states that [REDACTED] was resisting Officer De La Huerta but there is no description of the resisting.

⁸ The "police room" is the CPD office located within the school.

⁹ Att. 44.

¹⁰ Veriv.Net is the CPS online reporting system.

¹¹ [REDACTED] was unable to recall which sergeant she spoke to.

¹² [REDACTED] could not recall this officer's name or rank.

¹³ Atts. 34 & 35.

less likely that his actions would be tolerated. Officer De La Huerta was adamant that he never spat on [REDACTED]. Officer De La Huerta stated that he believed the fire alarm to be a false alarm and more likely an attempt by students to disrupt the school day.

In an interview with COPA¹⁴ on December 7, 2017, Ms. [REDACTED] advised that she could only recall [REDACTED] being “very [verbally] aggressive” with Officer De La Huerta.

b. Digital Evidence

Surveillance footage from Harlan Community High School¹⁵ depicts the fire alarm activating, students walking towards the southwest door, and [REDACTED] walking in the opposite direction. Officer De La Huerta stops [REDACTED] and points toward the southwest doors while speaking with [REDACTED]. Initially, [REDACTED] does not comply and appears to argue with Officer De La Huerta. Based on body language, Officer De La Huerta appears to continue to instruct [REDACTED] to walk towards the exit doors. [REDACTED] turns around, walks towards the doors, and leaves the view of the camera. Officer De La Huerta follows [REDACTED] and is seen shaking his head “no” while speaking to someone off camera.

Less a minute later, Officer De La Huerta is shown escorting [REDACTED] and detaining him against the wall outside of the police room. [REDACTED] pushes off the wall with both hands. Officer De La Huerta draws his Taser, but keeps it pointed towards the ground. Simultaneously, [REDACTED] turns to his right, pulls away from Officer De La Huerta, and walks towards a set of lockers. Officer De La Huerta directs [REDACTED] toward the lockers and pins him against the lockers. Officer De La Huerta’s Taser is still pointed towards the ground at this point. Sixteen seconds after Officer De La Huerta detains [REDACTED] against the lockers, he lifts the Taser towards [REDACTED]’s body; however, view of the Taser is obscured by Officer De La Huerta’s body. Thirteen seconds later, Officer De La Huerta lowers his Taser and points it towards the ground. Eighteen seconds later, Officer De La Huerta holsters his Taser. After Officer De La Huerta holsters his Taser, [REDACTED] continues to attempt to escape his control. Officer Moses-Huges arrives and assists in escorting [REDACTED] cross the hall to the police room. Officer De La Huerta detains [REDACTED] against the police room door for two minutes, during which he is face-to-face with [REDACTED] and appears to be leaning his body into [REDACTED]. Officer De La Huerta releases [REDACTED] and both walk towards the exit. Officer De La Huerta detained [REDACTED] for a total of three minutes forty-three seconds.

c. Documentary Evidence

Sgt. Thomas’ Initiation Report¹⁶ details [REDACTED]’s above listed allegations.

A **CPS Investigative Report¹⁷** details that on April 12, 2016, at approximately 11:00 am, [REDACTED] was present at Harlan and, during a fire alarm, attempted to exit the building via an incorrect door. The report also details that Officer De La Huerta instructed [REDACTED] to exit through

¹⁴ Att. 26.

¹⁵ Atts. 9, 10 & 28.

¹⁶ Att. 4.

¹⁷ Att. 8.

the correct doors. [REDACTED] complied but was detained by Officer De La Huerta. During his detention [REDACTED] resisted Officer De La Huerta. According to [REDACTED], Officer De La Huerta pushed [REDACTED], spat on him,¹⁸ put a taser to his neck/face, and made remarks about [REDACTED]'s lack of respect. Officer De La Huerta eventually released [REDACTED].

[REDACTED] informed his mother of the incident. She contacted Harlan Administration and CPD to report the incident. There is no indication that [REDACTED] suffered any injuries during the incident. The report details a conversation with [REDACTED], during which [REDACTED] informed CPS that she had contacted CPD Lieutenant Tiffany Gorman¹⁹ to report the incident. The report is unclear when [REDACTED] reported the incident to Lt. Gorman.

CPS determined that Officer De La Huerta may have engaged in physical abuse of a CPS student. Based on this determination, CPS contacted the Illinois Department of Children and Family Services to report the possible abuse²⁰ and forwarded a copy of its investigation to IPRA.

An **Affidavit Override**²¹ was received on February 22, 2017 from CPD Bureau of Internal Affairs. The override authorized an investigation into the allegations detailed above.

VI. ANALYSIS

COPA recommends a finding of **Sustained** for the allegation that Officer De La Huerta used a control tactic on [REDACTED] without justification. G03-02-02(IV)(B)(1) permits a member to use holding²² and compliance techniques²³ to address passive resistance, and defines a "passive resister" as "a person who fails to comply with verbal or other direction." Additionally, G03-02-02 IV(A) defines a "cooperative subject" as "a person who is compliant without the need for physical force" and limits a member's response to presence and verbal control/commands.

Here, [REDACTED] initially presented as a passive resister when he failed to comply with Officer De La Huerta's orders to exit the building. However; as soon as [REDACTED] turned around and began walking towards the exit identified by Officer De La Huerta, he was cooperative with Officer De La Huerta's verbal instructions and was a cooperative subject. Therefore, Officer De La Huerta was required to deescalate his use of force to presence and verbal control/commands. Officer De La Huerta admitted that he felt disrespected and upset immediately prior to using what he described as a "shepherding" on [REDACTED], despite [REDACTED]'s compliance with his verbal instructions.

¹⁸ There is no mention of spitting in the summary of [REDACTED]'s statement to CPS. The relevant portion of the report is on pages 8-10 of Attachment 8.

¹⁹ Lt. Gorman is referred to in the CPS report as a Sergeant. Additionally, according to Attendance and Assignment Records Lt. Gorman was on leave from April 2, 2016 until April 26, 2016. Att. 45.

²⁰ DCFS did not investigate because [REDACTED] was eighteen at the time of his interaction with Officer De La Huerta.

²¹ Atts. 21-23.

²² Holding techniques are described as "a firm grip, grabbing an arm, wristlocks, and come-along holds," which are "escort holds that are not elevated to pain compliance techniques."

²³ Pain compliance techniques are described as those "designed to amplify nonimpact pressure and pain in order to increase the potential for controlling a subject," such as applying pressure to pain sensors.

Based on Officer De La Huerta's own admissions, COPA determined that [REDACTED] was a cooperative subject when Officer De La Huerta attempted to escort [REDACTED] out of the building with the "shepherding" motion. Therefore; Officer De La Huerta's use of force was improper and did not comply with General Order G03-02-02 – Force Options.

COPA recommends a finding of **Unfounded** for the allegation that Officer De La Huerta pushed Mr. [REDACTED] against the lockers without justification. G03-02-02 IV(B)(2) defines an "active resister" as "a person whose actions attempt to create distance between [himself] and the member's reach with the intent to avoid physical control," and permits a member to use holding techniques and a Taser. Additionally, G03-02-02 IV(C) defines an "assailant" as "a [person] who is using or threatening the imminent use of force against ... another person," and permits a member to use holding techniques and a Taser.

Here, when [REDACTED] pulled away from Officer De La Huerta, and clenched his fists, his actions caused Officer De La Huerta to be in fear of a battery. Therefore, [REDACTED] was an assailant. Officer De La Huerta's use of holding techniques and drawing of his Taser was a proper response to [REDACTED]'s actions. Even as [REDACTED] calmed, he was still an active resister as he attempted to escape Officer De La Huerta's control by pushing off the wall and attempting walk away. These actions are clearly visible on the video. Despite [REDACTED]'s active resistance, Officer De La Huerta was able to maintain some physical control of him and ultimately pinned him against a set of lockers. Additionally, [REDACTED] admitted to the CPS investigator that he resisted Officer De La Huerta and refused commands to place his hands behind his back.

Based on all the evidence, COPA determined that [REDACTED] was an assailant and an active resister when Officer De La Huerta used a holding technique and Taser to gain compliance. Therefore, COPA determined that Officer De La Huerta's use of force was a proper response to [REDACTED]'s resistance during this portion of the incident.²⁴

COPA recommends a finding of **Not Sustained** for the allegation that Officer De La Huerta spat in McGary's face. During this investigation, COPA located references to the alleged spitting; however, the allegation is not contained in the summary of [REDACTED]'s statement to CPS. Further, it is unclear if the alleged spitting was an intentional act or a result of the close face-to-face conversation between [REDACTED] and Officer De La Huerta. Finally, Officer De La Huerta denied spitting on [REDACTED]. Therefore, without additional information from [REDACTED] COPA is unable to determine if the alleged spitting occurred.

COPA recommends a finding of **Not Sustained** for the allegation that Officer De La Huerta pointed a Taser at [REDACTED]'s face/neck while stating, "resist so I can use this. Hit me, go ahead and hit me." During this investigation, COPA determined that Officer De La Huerta's removal of

²⁴ However, while COPA determined that the detention of [REDACTED] at this point was proper, COPA finds it highly concerning the Officer De La Huerta elected to detain [REDACTED] inside a building where a fire alarm was active, especially considering Officer De La Huerta's reason for interacting with [REDACTED] was to get him to exit the building. COPA believes that Officer De La Huerta's decision to detain [REDACTED] inside the building was based in part on his belief that [REDACTED] had disrespected him. The mere fact that Officer De La Huerta believed the alarm was false did not lessen the need for the occupants to exit the building swiftly. Officer De La Huerta should have detained [REDACTED] outside of the building. This would have ensured the safety of [REDACTED] while still allowing Officer De La Huerta to address [REDACTED]'s conduct.

a Taser from his holster was permissible because [REDACTED] was actively resisting his detention. However, as Officer De La Huerta raised the Taser it is obscured. Thus, COPA is unable to determine where the Taser was pointed and therefore cannot determine if the alleged conduct occurred.

VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding
Officer Uriel De La Huerta	1. It is alleged that Officer De La Huerta used a Control Tactic on [REDACTED] without justification, in violation of Rules 6 and 9.	Sustained.
	2. It is alleged that Officer De La Huerta pushed [REDACTED] into the lockers without justification, in violation of Rules 6 and 9.	Unfounded.
	3. It is alleged that Officer De La Huerta spat in [REDACTED] s face, in violation of Rule 9.	Not Sustained.
	4. It is alleged that Officer De La Huerta pointed a Taser at [REDACTED] s face/neck while stating, "Resist so I can use this. Hit me, go ahead and hit me," in violation of Rules 6, 9.	Not Sustained.

Approved:

[REDACTED]
Mark Javier
Acting Deputy Chief Administrator

6/12/18
Date

Appendix A

Assigned Investigative Staff

Squad#:	9
Investigator:	Garrett Schaaf
Supervising Investigator:	Shannon Hayes
Acting Deputy Chief Administrator:	Mark Javier